

Message Text

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PAGE 01 STATE 230516
ORIGIN EA-12

INFO OCT-01 ISO-00 ONY-00 /013 R

DRAFTED BY EA/CHTWINING:SJN
APPROVED BY EA/ANZ:FCBENNETT, JR
EA/RA:LPSLEZAK
DESIRED DISTRIBUTION
EA ONLY

-----090290 121600Z /47

P 121538Z SEP 78
FM SECSTATE WASHDC
TO AMEMBASSY CANBERRA PRIORITY

UNCLAS STATE 230516

E.O. 11652: N/A

TAGS: SHUM, AS

SUBJECT: 1978 COUNTRY REPORTS OF HUMAN RIGHTS PRACTICES:
AUSTALIA

REF: (A) STATE 207310; (B) STATE 215801

1. EA HAS DRAFTED THE FOLLOWING SUBMISSION ON AUSTRALIAN
HUMAN RIGHTS PRACTICES FOR THE 1978 REPORT. PLEASE
ADVISE CONCURRENCE OR SUGGEST ANY CHANGES YOU BELIEVE
APPROPRIATE.

2. TEXT AS FOLLOWS: AUSTRALIA -
AUSTRALIA AND THE UNITED STATES SHARE A SIMILAR OUTLOOK
ON HUMAN RIGHTS. AUSTRALIAN SOCIETY ADHERES FIRMLY TO ITS
DEMOCRATIC TRADITIONS. COMMON LAW AND THE AUSTRALIAN
CONSTITUTION GUARANTEE ALL BASIC RIGHTS TO THE CITIZENRY.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
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FREEDOM FROM:

(A) TORTURE. -TORTURE IS NEITHER CONDONED NOR PRACTICED.
(B) CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.-
THE LAW PROHIBITS SUCH PUNISHMENT AND IS RESPECTED IN
PRACTICE.

(C) ARBITRARY ARREST OR IMPRISONMENT. -THE LAW PROHIBITS SUCH ACTION AND IS RESPECTED IN PRACTICE.
(D) DENIAL OF FAIR PUBLIC TRIAL. -THE LAW GUARANTEES THE RIGHT TO A FAIR HEARING AND A FAIR PUBLIC TRIAL AND IS RESPECTED IN PRACTICE.
(E) INVASION OF THE HOME. -EFFECTIVE LEGAL SAFEGUARDS PREVENT ARBITRARY INVASION OF THE HOME.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION. -AUSTRALIA'S SOCIAL WELFARE SYSTEM PROVIDES FOR BASIC FOOD, SHELTER, HEALTH CARE, AND SOCIAL SECURITY. PUBLIC EDUCATION IS UNIVERSAL AND FREE.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:
(A) FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY. -THE LAW GUARANTEES ALL OF THE BASIC FREEDOMS, WHICH ARE RESPECTED IN PRACTICE. PUBLIC DEMONSTRATIONS ARE LEGAL AND FULLY ACCEPTABLE FORMS OF POLITICAL ACTIVITY. THE TRADE UNION MOVEMENT HAS NO RESTRAINTS PLACED UPON IT.

(B) FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION. -THERE ARE NO RESTRICTIONS ON MOVEMENT WITHIN OR OUTSIDE THE COUNTRY, INCLUDING EMIGRATION.

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(C) FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS. AUSTRALIAN LAW GUARANTEES THIS FREEDOM, WHICH IS RESPECTED IN PRACTICE.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS. -WE KNOW OF NO REQUESTS TO MAKE SUCH INVESTIGATIONS. IN INSTANCES OF DISCRIMINATION AGAINST PERSONS OF ABORIGINAL DESCENT, THE GOVERNMENT OF AUSTRALIA ACTS QUICKLY AND EFFECTIVELY TO ASSURE THAT THEY RECEIVE THE FULL AND EQUAL PROTECTION OF THE LAW. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REPORTS, HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 sep 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE230516
Document Source: CORE
Document Unique ID: 00
Drafter: SJN
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780370-0866
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780976/aaaackqg.tel
Line Count: 105
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 46f3df51-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: ONLY
Reference: 78 STATE 207310, 78 STATE 215801
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1465095
Secure: OPEN
Status: NATIVE
Subject: 1978 COUNTRY REPORTS OF HUMAN RIGHTS PRACTICES: AUSTALIA
TAGS: SHUM, AS
To: CANBERRA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/46f3df51-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014